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SUBJECT: NIGERIA HUMAN RIGHTS ROUNDUP FOR THIRD QUARTER OF 2006

REF: ABUJA 1838

11. SUMMARY. To augment the required annual reporting, Embassy Abuja will be sending regular round-up cables detailing human rights incidents in Nigeria. This cable mimics the format of the Annual Report on Human Rights and a section at the end will discuss issues to which we will be paying particular attention. We will continue to send cables about individual events as needed. END SUMMARY.

RESPECT FOR THE INTEGRITY OF THE PERSON, INCLUDING FREEDOM FROM:

12. Arbitrary and Unlawful Deprivation of Life. There continue to be reports from the Abuja police to the diplomatic community on the number of armed robbers arrested each week and the number of "dead robbers." Little information is typically given about how the suspects in question died, and investigation in to their deaths is not pursued.

13. Arbitrary and Unlawful Deprivation of Life. Unconfirmed reports indicate that 12 people died in an August gun battle between the Nigerian military and militants in the Niger Delta. Operating as the Joint Task Force, the military had been sent in to attempt to stop the kidnappings discussed in the next paragraph.

14. Arbitrary Arrest or Detention. A number of non-state actors in the Niger Delta continue to kidnap individuals who work for petroleum companies. While most of the militant groups make public claims of concern about unfair resource distribution and environmental destruction, the hostages are routinely released, reportedly after a financial settlement of some kind. In July a Dutch man was kidnapped and later released, and later that month workers who had been kidnapped in June were released. In August, citizens of Germany, the Philippines, Norway, Ukraine, Belgium, Morocco, Great Britain, and the United States were kidnapped by various militant groups and later released.

15. Arbitrary Interference With Privacy, Family, Home, or Correspondence. Destruction of homes and businesses in Abuja by the government of the Federal Capital Territory (FCT) continues. Typically, the FCT leadership decides that a group of buildings is not in accordance with the master plan for the city, will serve 21 days notice that the buildings are to be demolished, and will then bulldoze the structures. There is no meaningful appeal from the decision to bulldoze the buildings, and their owners are not compensated. Additionally, many of the people whose homes and offices are destroyed hold permits issued by the FCT allowing them to build and occupy the building. Many people are left homeless and unemployed as a result. The FCT has recently discussed

plans to build some new housing units, but there is no plan for how they will be allocated, there are fewer housing units than homes destroyed, and the housing will not be available until some time in the future.

¶6. Arbitrary Interference With Privacy, Family, Home, or Correspondence. On September 20, 2006, Muslim Youth in Dutse, Jigawa State rioted, allegedly in protest of an amorous relationship between a police officer and a local woman. An unknown number of homes and businesses were destroyed in the riot and reports indicate that the governor of the state was threatened with lynching by irate youths and had to be escorted from the capital.

¶7. Arbitrary Interference With Privacy, Family, Home, or Correspondence. Credible reports indicate that the Nigerian military's Joint Task Force for the Niger Delta burned to the ground a village in Obio-Akpor Local Government area of Rivers State near Port Harcourt on the evening of August 24. Militants from a nearby area had shot a soldier while abducting an oil company employee. In retaliation, soldiers came to the village shortly afterwards with cans of gasoline. They set every building on fire and burned them to the ground, destroying an area covering roughly four football fields. Fortunately, no one died and only one person was seriously injured. No compensation is expected to be paid to the victims and the Nigerian military denies responsibility.

RESPECT FOR CIVIL LIBERTIES, INCLUDING:

¶8. Freedom of Speech and Press. We reported in paragraph 7 of reftel that journalists Gbenga Aruleba and Rotimi Durojaiye had been charged with sedition for reporting that the president purchased a second-hand airplane. A hearing on

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July 25 allowed them both to remain free on bail, and a hearing on October 10 led to the case being dismissed against Aruleba. Durojaiye and his newspaper company still face the sedition charge, although he remains free on bail while the Court of Appeal determines the constitutionality of the charges. Immediately after the hearing, Aruleba said first that he was unsure why the charges had been dropped against him and later said he thought it was because he merely repeated a story Durojaiye wrote. In a later email to PolOff, Durojaiye said that he believed the case against Aruleba had been dismissed because he and his company (Africa Independent Television) were willing to apologize to the government for running the story while Durojaiye and his company were not.

¶9. Freedom of Speech and Press. Local media frequently run stories openly critical of the government, and yet sometimes media practitioners are arrested or harassed for doing so. PolOff gained some insight into who goes free and who goes to jail in a conversation with a local journalist in September. According to this source, it is acceptable to report the news so long as one is not seen to be attacking politically powerful figures, particularly the president. While the information can be given, he said it must be slanted and given in a respectful tone so as not to offend.

¶10. Freedom of Peaceful Assembly and Association. We reported in paragraph 9 of reftel that the national assembly was considering an anti-gay marriage bill which would duplicate existing laws on marriage and sexual relations while making it more difficult for advocacy groups to operate. While there have been murmurs that the bill might advance in the legislative process, to date no further action has been taken on it. While we still expect that it will pass by a wide margin if it comes to a vote, it is becoming increasingly likely that the legislation will die a quiet death as the body politic becomes increasingly preoccupied by the elections planned for April 2007.

¶11. Freedom of Peaceful Assembly and Association. On July

12, State Security Service (SSS) officers sealed off the site of a planned human rights meeting and prevented the meeting from taking place because no permit had been issued for the meeting. The SSS was acting under writ of the Public Order Act, which had previously been declared unconstitutional by Nigeria's courts. The July 12 meeting had been called to protest the sacking of Bukhari Bello as chair of the National Human Rights Commission. Bello was relieved of his duties for criticizing government human rights practices.

¶12. Freedom of Religion. Several political officers made a trip to Kaduna and Kano states to participate in Ramadan activities. Both states are at least partially under Sharia law. In a positive note, PolOff saw Christian churches freely operating in both places. This was particularly true in Kaduna State. While religious tension is certainly possible in any part of Nigeria, this brief glimpse suggests that Sharia is being applied in a manner which is equitable to Christians.

¶13. Freedom of Religion. While the news for religious freedom is good in some parts of Nigeria, tensions remain high in other areas. Credible reports from Jigawa State indicate that on September 10 churches were burned during a religious conflict. A Christian student is believed to have made offensive comments about the Prophet Mohammed in response to offensive comments on the part of a Muslim student about Jesus Christ.

RESPECT FOR POLITICAL RIGHTS: THE RIGHT OF CITIZENS TO CHANGE THEIR GOVERNMENT

¶14. Elections and Political Participation. While the government continues to insist that elections will happen on schedule, speculation continues that President Obasanjo intends to stay. While the speculation has many sources, there are three primary sources of concern. The first is that voter registration is not proceeding according to the announced plan. The Independent National Electoral Commission (INEC) announced that all voters would be registered by December through "direct data capture," a method where their photo and digital fingerprint would be taken. However, INEC does not have the equipment it needs to complete the registration exercise in a timely manner. The second problem is the general disorganization of Nigeria's political parties. While the PDP is all but certain to remain a viable political party, around 4 dozen other parties exist and are going through a constant churn of merging with

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and splitting away from one another. None of the parties have announced candidates, and there is little consensus on which candidates will represent which parties. Third, many leading candidates are under investigation for corruption by the Economic and Financial Crimes Commission (EFCC) and other law enforcement bodies. Currently under investigation or threat of impeachment are the Vice President and as many as 30 of the 36 state governors. Other figures such as the son of former head of state Ibrahim Babangida are also being investigated. Being under indictment could legally disqualify a political candidacy. It is improbable that corruption on such a grand scale would suddenly be discovered only a few months before an election. Some observers speculate that the upsurge in corruption investigations is motivated by the administration's desire to disqualify some likely presidential candidates.

¶15. Elections and Political Participation. Disputed reports indicate that on September 10 past Minister of Aviation and current candidate for the governorship of Bauchi State Isa Yuguda was the subject of an assassination attempt. Allegedly, he was attacked by thugs sent by current Bauchi State Governor Mu'azu, a member of the PDP. The attack was said to have taken place in Abuja when a group of armed men stormed Yuguda's home. He survived the attack.

¶16. Elections and Political Participation. In mid-September, the Kano governor's motorcade was stoned by youth upset with him for allegedly turning away from the ANPP to cooperate with President Obasanjo and the ruling PDP. The incident took place after the governor returned from an overseas trip with the President. The incident was not widely reported in the media.

¶17. Elections and Political Participation. Ayodeji Daramola, PDP candidate for the governorship of Ekiti State, was murdered August 14 by unknown assassins. He had been publicly threatened by Ekiti Governor Fayose several times prior to the killing. No visible progress has been made in the investigation, and speculation is widespread that the killing was politically motivated.

¶18. Elections and Political Participation. On July 28, Lagos State PDP gubernatorial aspirant Funsho Williams was bound, gagged and stabbed to death in his residence in Lagos in the early hours of the morning. Although some arrests were made and officials of Scotland Yard were invited to examine the crime scene, no one has been arraigned in court. There is little public confidence that those who have been arrested actually carried out the murders and there has been no mention of arrests of those who ordered the deed done. The Williams case does stand out, however, in having foreign agents called in to assist in the investigation.

¶19. Elections and Political Participation. Plateau State gubernatorial aspirant Jesse Aruku of the newly registered Advanced Congress of Democrats (ACD) was abducted late at night on June 30 or July 1 and killed on July 2. Police say his death was an assassination and not a robbery, but no arrests are known to have been made in the case.

GOVERNMENT ATTITUDES REGARDING INTERNATIONAL AND NONGOVERNMENTAL INVESTIGATION OF ALLEGED VIOLATIONS OF HUMAN RIGHTS

¶20. A number of human rights NGOs operate freely in Nigeria. Paragraph 15 of reftel had reported that one local NGO was facing a registration problem, but that problem has been resolved. However, local democracy building NGOs have reported feeling some pressure to only provide voter education according to "approved" methods.

DISCRIMINATION, SOCIETAL ABUSES, AND TRAFFICKING IN PERSONS

¶21. Women. The PDP is encouraging women to run for political office by greatly reducing the fees charged to women for the paperwork required to register as a PDP candidate.

¶22. National/Racial/Ethnic Minorities. Plateau State was the location of extensive intercommunal violence in 2001 and again in 2004. The majority of the residents of the state, and those who consider themselves "indigenes" of the area, are Christian. Many of the commercial traders are Muslims who have lived in the area for three generations or more but are not considered indigenous. In conversations with PolOff, the Muslim community feels that they are still being actively discriminated against in outlays of public funds and the

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ability to seek public office.

WORKER RIGHTS

¶23. There have been reports of a possible strike as the Power Holding Company of Nigeria privatizes, and oil workers were this summer discussing the possibility of a strike. However, no industrial actions are known to have materialized since the NITEL strike in June.

TRENDS TO WATCH

¶24. The attention of the embassy is increasingly focusing on next year's planned elections as both a political and a human rights issue. Through the end of the year, we will be closely watching the progress of voter registration and the organization of Nigeria's political parties. If voters are registered and political parties well organized to conduct a spirited campaign, it will be a positive sign for the conduct of next year's elections. If either or both of these falls through, Nigeria could be set for a period of significant turmoil in the spring of 2007. We will continue to send reports on specific issues as they develop.

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